

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s): Ballert et al.

Examiner:

Serial No.: 10/772,925

Date: August 5, 2004

Filed: February 5, 2004

Docket: 298-226

For: A DRIVE WITH A HYDRO MACHINE

Commissioner for Patents  
**MAIL STOP MISSING PARTS**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION - FILING DATE GRANTED**

In response to the Notice to File Missing Parts of Application - Filing Date  
Granted, dated May 5, 2004 for the above-identified patent application, Applicant  
submits the following:

- an executed Combined Declaration and Power of Attorney by the inventors;
- a check for \$130.00 to cover the Missing Parts Fee;
- a copy of the Notice to File Missing Parts of application;
- an executed Assignment together with a Recordation Form Cover Sheet  
and the \$ 40.00 fee; and
- a petition for a one month extension of time for response under 37 C.F.R. §  
1.136(a) with a \$ 110.00 check.

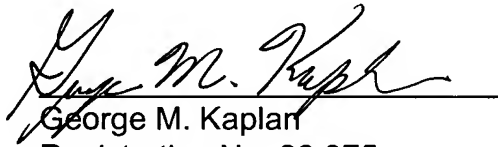
CERTIFICATE OF MAILING 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United  
States Postal Service as First Class Mail in an envelope, addressed to the  
Commissioner for Patents, P.O. Box 1450-**MAIL STOP MISSING PARTS**,  
Alexandria, VA 22313-1450 on August 5, 2004.

  
George M. Kaplan

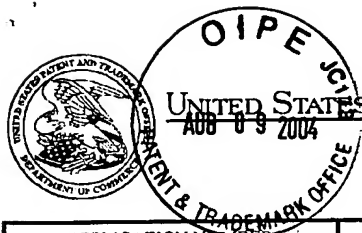
It is believed that no other fees will be incurred as a result of this response. However, charge any deficiency or credit any overpayment of such fees to Deposit Account No. 04-1121. Also, in the event that any extensions of time are required for this response, please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "George M. Kaplan", is written over a horizontal line.

George M. Kaplan  
Registration No. 28,375  
Attorney for Applicant

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/772,925	02/05/2004	Johann Ballert	298-226

CONFIRMATION NO. 6053

## FORMALITIES LETTER



\*OC000000012530499\*

Rocco S. Barrese, Esq.  
 DIL WORTH & BARRESE, LLP  
 333 Earle Ovington Blvd.  
 Uniondale, NY 11553

Date Mailed: 05/05/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE